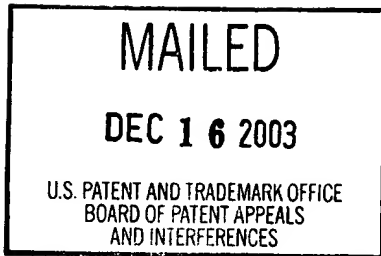


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte PETER DANIEL HANSEN and BULENT GOKSEL



Application No. 09/503,508

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on November 28, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

On September 10, 2002, an Examiner's Answer was mailed (Paper No. 19). A review of the Examiner's Answer reveals that the information contained therein pertaining to the appeals conference is not in compliance with the Manual of Patent Examining Procedure (MPEP) § 1208 (8th ed., rev. 1, Feb. 2003). According to MPEP § 1208:

An appeal conference is mandatory in all cases in which an, acceptable brief (MPEP § 1206) has been filed The participants of the appeal conference should include (1) the examiner charged with preparation of the examiner's answer, (2) a supervisory patent examiner (SPE), and (3) another examiner, known as a conferee, having sufficient experience to be of assistance in the consideration of the merits of the issues on appeal.

. . . . On the examiner's answer, below the primary examiner's signature, **the word "Conferee:" should be included, followed by the typed or printed names of the other two appeal conference participants. These two appeal conference participants must place their initials next to their name.** This will make the record clear that an appeal conference has been held.

Upon receipt of the appeal case by the Board of Patent Appeals and Interferences (Board), the Board should review the application prior to assigning an appeal number to determine whether an appeal conference has been held. If the examiner's answer does not contain the appropriate indication that an appeal conference has been held (i.e., including the names of the conferees and identifying themselves as the conferees along with their initials), the Board should return the application directly to the appropriate Technology Center (TC) Director for corrective action. (Emphasis added)

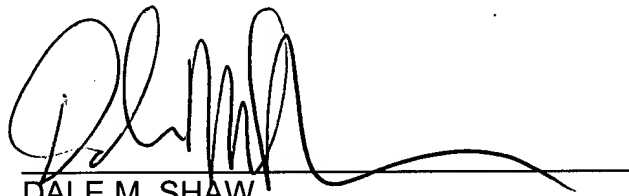
Accordingly, it is

Application No. 09/503,508

ORDERED that the application is returned to the examiner for taking corrective action regarding the appeals conference, which includes the signature of the examiner in charge of preparing the answer and two sets of typed initials and signatures of the appeals conferees, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:

A handwritten signature in black ink, appearing to read 'D. M. Shaw', written over a horizontal line.

DALE M. SHAW
Program and Resource Administrator
(703) 308-9797

cc: FISH & RICHARDSON P.C.
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DMS/vsh
RA04-0110